



## RESPONSES TO INFORMATION REQUESTS (RIRs)

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09 May 2007

### IND102467.E

India: Requirements for residence registration (2005 - 2007)  
Research Directorate, Immigration and Refugee Board of Canada, Ottawa

Information on residence registration could not be found in the sources consulted by the Research Directorate; however, the following information deals with tenant registration.

An article in *The Times of India* states that tenant verification started in Delhi in the 1980s when Punjab militants were active (17 July 2005). The article quotes a senior police official who describes the procedure of tenant verification as follows:

The procedure is simple and all one has to do is inform the local police station when a new tenant is taken in. The beat constable would come to the house and gather information about the person(s). A simple form is filled and a photograph of the [resident(s)] is affixed on it for police records. (*The Times of India* 17 July 2005)

The following provides examples of reports of landlords charged with failure to register their tenants with the police. In July 2005, 11 landlords in New Delhi were charged with disobeying a public order requiring the registration of tenants (*The Tribune* 26 July 2005). *The Hindu* reports that, in August 2005, 157 cases against tenants, landlords and property dealers were registered in New Delhi for failing to advise the police of their tenants as per the order issued by the Delhi police commissioner in June 2005 (8 Aug. 2005). In an article about the death of two migrants in Bihari, *The Tribune* mentions that the landlord was "booked for not furnishing information about his tenants to the area police" (9 Feb. 2005).

According to *The Tribune*, the district of Fatehgarh Sahib, located in the state of Punjab, issued an order in January 2006 instructing all landlords to provide a list of their respective tenants along with their addresses to their local police station (30 Jan. 2006). Other sources state that a similar order was issued in Delhi in preparation for the Republic Day celebrations, which occur yearly in the month of January (Onlypunjab.com 17 Jan. 2007; *Hindustan Times* 16 Jan. 2007). Onlypunjab.com, the online edition of the daily newspaper *Newsline Express*, indicates that 39 house owners were arrested (17 Jan. 2007), while *Hindustan Times* states that 145 were arrested (16 Jan. 2007), under Section 188 of the Indian Penal Code for disobeying an order issued by a public servant (Onlypunjab.com 17 Jan. 2007; *Hindustan Times* 16 Jan. 2007). Cybercafé owners were also ordered to keep records of their customers and several were arrested for failing to do so (ibid.; Onlypunjab.com 17 Jan. 2007).

In Faridabad, Haryana, the district administration issued an order banning the use of domestic help or renting out property without first obtaining police verification (*The Tribune* 20 Jan. 2007). House owners must provide a list of their tenants and servants, otherwise, they are in violation of Section 188 of the Indian Penal Code (ibid.).

Several news sources report that police conduct tighter "tenant verification drives" to ensure security in preparation for national holidays such as Republic Day or Independence Day (*The Times of India* 25 Jan. 2006a; ibid. 25 Jan. 2006b; *The Hindu* 21 July 2005).

According to *The Times of India*, a Delhi court has criticized the city police for prosecuting individuals for violation of tenant verification orders without providing adequate information of the existence of such an order (20 Dec. 2005). The article went on to state that a considerable part of Delhi's population is illiterate and that the police are expected to raise awareness of such orders using radio, television and cable networks (*The Times of India* 20 Dec. 2005). Similarly, the Bharatiya Janata Party (BJP) states that the arrest of house owners for failing to register their tenants under the tenant verification process is "unwarranted" and that police should concentrate on maintaining law and order instead of "targeting" property owners (*The Hindu* 22 Jan. 2007).

Additional and corroborating information could not be found among the sources consulted by the Research Directorate.

This Response was prepared after researching publicly accessible information currently available to the Research Directorate within time constraints. This Response is not, and does not purport to be, conclusive as to the

merit of any particular claim for refugee protection. Please find below the list of additional sources consulted in researching this Information Request.

#### References

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#### Additional Sources Consulted

**Oral sources:** The People's Union for Civil Liberties, the Centre for the Advanced Study of India (CASI) at the University of Pennsylvania, the South Asia program of the Center for Strategic and International Studies (CSIS) and the South Asia Human Rights Documentation Centre did not provide information within the time constraints of this Response.

Ensaaf and the Centre for India and South Asia Research (CISAR) at the University of British Columbia did not have information on the subject.

**Internet sites, including:** Amnesty International (AI), Asian Coalition for Housing Rights, Asian Human Rights Commission, British Broadcasting Corporation (BBC), Centre for the Advanced Study of India (CASI) at the University of Pennsylvania, Centre for India and South Asia Research (CISAR) at the University of British Columbia, Delhi Police, Ensaaf, Freedom House, Human Rights Watch (HRW), India Together, *The Indian Express* [Mumbai], jobelaw.com, Ministry of Home Affairs, Ministry of Housing and Urban Poverty Alleviation, National Human Rights Commission, *The Pioneer* [Delhi], South Asia Human Rights Documentation Centre, South Asia program of the Center for Strategic and International Studies (CSIS), *The Statesman* [Kolkata], United Kingdom Border and Immigration Agency, United States Department of State.

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